THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16779 of 2007

Dated:07.08.2007

Between:

Konduri Poornananda Sastry, S/o.Late Konduri Venkataramanaiah.

…Petitioner

and

M.R.O/Tahasildar, Tallur Mandal,
Prakasam District,
and others.

…Respondents

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WRIT PETITION No.16779 of 2007

ORDER:

The petitioner allegedly acquired land admeasuring Acs.5.64 cents in Survey No.87 and Ac.1.40 cents in Survey No.90 situated at Sankaranarayanapuram Village, under a registered Will dated 01.07.1979 executed by late Kuruganti Koteswaramma. Having noticed that a Bandibata/Cart Track was laid down across the said land, he made a representation to the second respondent. In pursuance thereof, the first respondent was asked to conduct enquiry. Even while the enquiry is still pending, the first respondent issued an endorsement in Rc.B/194/2007, dated 16.07.2007, informing the petitioner that the land in Survey Nos.87 and 88 is vagu poramboke land vesting in the Government, and that the application made by Koteswaramma for grant of patta in SR.No.4/15(1)/76 was rejected on 11.04.1986. The petitioner was also informed that necessary action is being taken to cancel the pattadar pass books issued to Koteswaramma, and that the petitioner was asked to submit explanation raising all objections within seven days. Aggrieved by the same, the present Writ Petition is filed.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-A), this Court is of considered opinion that the impugned Endorsement dated 16.07.2007, is in the nature of a show cause notice for cancellation of pattadar pass books. Therefore, the petitioner is given liberty to raise

all objections before the first respondent, who shall consider the same keeping in view the registered Will, dated 01.07.1979, as well as the proceedings issued by the competent authority while granting pattadar pass books to late Koteswaramma. The petitioner may submit explanation within a period of one week from the date of receipt of a copy of this order, if not already submitted, which shall be considered by the first respondent.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

07.08.2007
vs